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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,248	04/26/2001	Kenichi Higashi	2185-0532P	7514

2292 7590 07/30/2003

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EXAMINER
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NAKARANI, DHIRAJLAL S

ART UNIT	PAPER NUMBER
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1773

DATE MAILED: 07/30/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

A 87

<b>Office Action Summary</b>	<b>Application No.</b> 09/842,248	<b>Applicant(s)</b> HIGASHI ET AL.	
	<b>Examiner</b> D. S. Nakarani	<b>Art Unit</b> 1773	

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 April 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spain et al (US Patent 5,725,712) in view of Saeki et al (US Patent 5,829,804) for the reasons of record set forth in paragraph 4 of the Office Action mailed October 28, 2002 (Paper No. 4).

In addition, Spain et al disclose thickness of clear coat (45) from about 0.5 to about 1.5 mils (i.e. about 12.5 to about 38 microns) (col. 9, lines 24-25, col. 11, line 20), thickness of color coat (46) from about 0.5 to about 1.5 mils (col. 13, lines 56-57), thickness of size coat (47) from about 0.1 to about 1.0 mil (col. 16, lines 35-36) and thickness of backing sheet (72) from about 10 to about 40 mils with 20 mils thickness being preferred (col. 17 lines 36-38) (see Fig. 7). The backing sheet can be ABS, thermoplastic polyolefin, polyester, amorphous nylon etc. (col. 17, lines 20-28 and col. 33, lines 1-40). Spain et al also suggest use of pigment in the backing sheet to hide the effects of chipping of the paint coat (col. 20, lines 33-41). Spain et al suggest size coat of chlorinated polyolefin when backing sheet is a thermoplastic polyolefin. The article of Figure 7 is a laminated film. Spain et al teach dry paint transfer techniques to produce exterior plastic car body members (col. 1, lines 18-25).

Saeki et al teach polyolefin composition for making reduced wall thickness of automobile bumpers, which are also exterior plastic car body members (col. 2, lines 15-20). Saeki et al's composition provides paintable surface, which can be painted with application of chlorinated

polypropylene primer, and acrylic paints (col. 7, lines 59-68). Saeki et al also suggest use of pigment and fibrous fillers (col. 7, lines 22-35). Saeki et al discloses addition of talc from 0.6 to 30 parts by weight per 100 parts by weight of the combination of components (A) and (B). Components (A) and (B) are propylene resins (col. 2 lines 40-50, col. 6 lines 20-24). Saeki et al's Example 1 shows 65 wt% of combined components (A) and (B) and 30 wt% ethylene-propylene copolymer rubber (EPM) (col. 2, lines 50-51).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of this invention made to utilize Saeki et al's compositions for making backing sheet of Spain et al for improving paint bonding, impact strength and improved surface quality.

No claims are allowed.

3. Applicant's arguments filed April 28, 2003 have been fully considered but they are not persuasive. In reference to rejection of claims 1-10 under 35 USC § 103(a) as being unpatentable over Spain et al (US Patent 5,725,712) in view of Saeki et al (US Patent 5,829,804), applicants mainly argue that present invention claims laminated film. Spain et al fail to disclose a film having a layer containing inorganic filler and layer containing thermoplastic elastomer. Saeki et al reference fails to compensate for deficiencies in Spain et al. Saeki et al's composition is for making bumpers. A bumper is not a film. Saeki et al fails to disclose laminated films and preventing curling of the laminated film; prevention of the film from shrinking etc.

These arguments are unpersuasive because the laminated film of the instant disclosure has total thickness ranging from about 40 to about 1200 microns (i.e. thickness of layer A range from about 30 to about 700 microns and the thickness of layer B, while not particularly limited,

is preferably from 10 to 500 microns). Thus laminated film has total thickness ranging from about 1.6 to about 47 mils. Spain et al's laminate of Fig. 7 has thickness ranging from about 11.00 to about 44 mils, which encompasses claimed laminated film. Saeki et al disclose thin walled bumper primed with chlorinated polypropylene and coated with a polyurethane or acrylic paint. Therefore it is obvious to use Saeki et al's composition for making a backing sheet bonded to Spain et al's size coat of chlorinated polyolefin since it gives improved surface quality and low temperature impact resistance. Saeki et al's composition is used for molding exterior plastic car body part such as bumper. Spain et al teaches process of painting exterior plastic car body parts.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

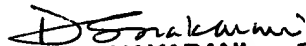
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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner D. S. Nakarani whose telephone number is (703) 308-2413. The examiner can normally be reached on Tuesday-Friday from 7 a.m. to 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Thibodeau can be reached on (703) 308-2367. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7718 for regular communications and (703) 305-7115 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

D.S. Nakarani/dh  
July 29, 2003

  
**D. S. NAKARANI**  
**PRIMARY EXAMINER**